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Pursuant to 37 C.F.R. § 1.8, I hereby certify that I have information and a reasonable basis for believing that this paper will be deposited as first-class mail with the United States Postal Service on December 4, 2006, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[Signature]

Signature

12-4-06

Date

PATENT
016295.1576

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
	§	
Marks, et al.	§	
	§	
Serial No.: 10/805,811	§	Group Art Unit: 2188
	§	
Filed: March 22, 2004	§	Examiner: Craig E. Walter
	§	
For: System and Method for Drive	§	
Recovery Following a Drive Failure	§	

**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT
MAILED NOVEMBER 3, 2006**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This response is filed in response to the Notice of Non-Responsive Amendment mailed November 3, 2006. Applicants respectfully submit that the following response is fully responsive to the most recent Office Action.

Applicants note that December 3, 2006 was a Sunday, and thus this response is considered timely filed on Monday, December 04, 2006. Applicants do not believe any fees are due with the filing of this response. Applicants hereby authorize and instruct the U.S. Patent and Trademark Office to charge Deposit Account No. 02-0383 (matter 016295.1576) for any charges which may be necessary for the filing of this response.